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**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF WYOMING**

TRICIA WACHSMUTH,

Plaintiff,

vs.

Civil Action No. 10- CV-041-J

CITY OF POWELL, TIM FEATHERS, CHAD MINER,
MIKE CHRETIEN, ROY ECKERDT, DAVE BROWN,
MIKE HALL, BRETT LARA, MATT McCASLIN,
ALAN KENT, MATTHEW DANZER, OFFICER BRILAKIS,
LEE BLACKMORE, CODY BRADLEY, KIRK CHAPMAN
JOHN DOES #1-#4

Defendants.

**EXCLUSIONARY MOTION IN LIMINE OF THE USE OF THE TERM
“S.W.A.T. RAID” OR “S.W.A.T. LIKE RAID” PURSUANT TO F.R.E. 403**

COMES NOW the Defendants, and pursuant to this Court’s Scheduling Order,

U.S.D.C.L.R. 43.1 and F.R.E. 403, hereby move the Court for an Order in Limine excluding the Plaintiff from referring to the execution of the search warrant at issue in the above referenced matter as a "S.W.A.T. raid" or "S.W.A.T. like raid". Referring to the execution of the search warrant as a S.W.A.T. (Special Weapons And Tactics) raid is contrary to the evidence in this case and its probative value is substantially outweighed by the danger of unfair prejudice, confusion of the issues, or misleading the jury. Defendants request the relief for the aforementioned reasons.

DATED this 18th day of January, 2011.

/s/ Thomas A. Thompson
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CERTIFICATE OF SERVICE

This is to certify that on the 18th day of January, 2011, at Rawlins, Wyoming, I served the foregoing instrument by causing to be deposited a full, true and correct copy thereof in the United States Mail, duly enveloped with postage prepaid, and addressed to:

Jeffrey C. Gosman
Gosman Law Office
P.O. Box 51267
Casper, WY 82601

/s/ Thomas A. Thompson
For MacPherson, Kelly, & Thompson, LLC

Mailed By: hef